



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/914,494	08/29/2001	Jose Arnau	CM 2057M	8081

27752 7590 09/25/2003

THE PROCTER & GAMBLE COMPANY
INTELLECTUAL PROPERTY DIVISION
WINTON HILL TECHNICAL CENTER - BOX 161
6110 CENTER HILL AVENUE
CINCINNATI, OH 45224

EXAMINER

DOUYON, LORNA M

ART UNIT	PAPER NUMBER
----------	--------------

1751

DATE MAILED: 09/25/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1751

Specification

1. The abstract of the disclosure is objected to because it need not recite “The present invention relates to”. Correction is required. See MPEP § 608.01(b).

2. The disclosure is objected to because of the following informalities:

The copending foreign applications on page 4, lines 9-10; page 15, line 17 and page 26, line 2 should be updated.

Appropriate correction is required.

Claim Objections

3. Claim 22 is objected to because of the following informalities: in line 2, wouldn't the first letter of “schiff” be capitalized? Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. Claims 19, 21 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 19 lacks support for “the coating” with respect to claim 17. This claim should have been dependent on claim 18.

Art Unit: 1751

Claims 21 and 23 are indefinite because the Markush language is improper. The phrase “the group consisting of” should be added after “selected from”. See MPEP 2173.05(h)(I).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 17 is rejected under 35 U.S.C. 102(b) as being anticipated by Ridley (US Patent No. 4,678,593).

Ridley teaches a soap bar (which is equivalent to a tablet) which comprises EDTA, a heavy metal ion sequestrant, perfume and clay, which is sodium montmorillonite (see Examples I to VI under cols 5-6). Ridley teaches the limitations of the instant claim. Hence, Ridley anticipates the claim.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

Art Unit: 1751

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 17-20 and 22-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salager et al. (EP 0,846,756), hereinafter "Salager".

Salager teaches detergent tablets comprising a core and a coating, the tablet further comprises a disintegrant, at least some of the disintegrant being in the coating (see abstract). Suitable coating materials include C2-C13 dicarboxylic acids, preferably oxalic acid, malonic acid, succinic acid, glutaric acid, adipic acid, etc. (see page 3, lines 44-48). Salager also teaches adding a disintegrant in the coating such as starch, cellulose and clay, among others (see page 4, lines 14-21). Salager also teaches tablets comprising builders which include alkali metal salts of polyacetic acids such as ethylenediamine tetraacetic acid and nitrilotriacetic acid (see page 6, lines 35-38) and phosphonate builders such as ethane-1-hydroxy-1,1-diphosphonate (see page 7, lines 1-2). Other components in the tablet include perfumes (see page 9, lines 51-53). Salager also teaches a

Art Unit: 1751

process for making the tablet which comprises the steps of (a) forming a core by compressing a particulate material, the particulate material comprising surfactant and detergent builder; (b) applying a coating material to the core, the coating material being in the form of a melt; (c) allowing the molten coating material to solidify; wherein the coating material comprises a disintegrant (see page 2, lines 41-46). In an alternative embodiment, the process comprises the steps of (a) forming a core by compressing a particulate material, the particulate material comprising surfactant and detergent builder; (b) applying a coating material to the core, the coating material being dissolved in a solvent; (c) allowing the solvent to evaporate wherein the coating material comprises a disintegrant (see page 2, lines 48-55). Salager, however, fails to specifically disclose a tablet comprising a clay, perfume, and heavy metal ion sequestrant wherein the tablet comprises a coating comprising a clay.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to prepare a tablet comprising a clay, perfume, and heavy metal ion sequestrant wherein the tablet comprises a coating comprising a clay because the teachings of Salager encompass these aspects.

10. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Salager as applied to the above claims, and further in view of Creed (US Patent No. 6,007,735).

Salager teaches the features as described above. Salager, however, fails to teach a coating comprising a heavy metal ion sequestrant.

Art Unit: 1751

Creed teaches cleaning tablets coated with water soluble coating which can be organic or inorganic such as inorganic sequestering agents to prevent dusting of the tablet (see col. 2, lines 42-47; col. 4, line 66).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the inorganic sequestering agent of Creed in the coating of Salager because this would prevent dusting of the tablet as taught by Creed.

11. The prior art made of record and not relied upon is considered pertinent to applicants' disclosure. These references are considered cumulative to or less material than those discussed above.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is (703) 305-3773. The examiner can normally be reached on Mondays-Fridays from 8:00 AM to 4:30 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta, can be reached on (703) 308-4708. The fax phone number for this Technology Center is:

(703) 872-9311 - for Official After Final faxes
(703) 872-9310- for all other Official faxes.

Art Unit: 1751

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center receptionist whose telephone number is (703) 308-0661.

September 15, 2003


Lorna M. Douyon
Primary Examiner
Art Unit 1751